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**THE DIRECTOR OF CENTRAL INTELLIGENCE**

WASHINGTON, D.C. 20505

National Intelligence Council

MEMORANDUM FOR: Mr. Otho Eskin  
Director of the Office of Ocean Law and Policy  
Department of State

SUBJECT: CIA Concurrence and Viewpoints On the Revised  
Senior Interagency Group Report to the President  
on the Law of the Sea ☐

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1. Per the Senior Interagency Group (SIG) request of 16 June, CIA has reviewed the revised SIG Report to the President on the Law of the Sea (LOS) and finds that from an intelligence viewpoint the Report adequately describes the current situation facing the United States in the aftermath of the official negotiating phase of the LOS Conference. The document appropriately presents for the President's decision those significant issues which must be addressed by the agencies that will pursue US oceans interests for the foreseeable future. ☐

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2. As for the specific issues for decision, we offer the following Agency viewpoints:

Issue 1: Should the United States decide to sign the LOS Convention as adopted by the Conference?

Since the seabed mining texts of the Convention fail to meet the President's six objectives, the CIA believes the Convention, on balance, falls short of the minimum level required to obtain US signature.

Issue 2: Should a decision on signing be made now or be deferred?

CIA would note that the US's industrial allies do not wish to damage their relations with the developing countries over the seabed mining issue and, thus, would prefer to keep a low profile on their negotiations with the United States on the proposed Reciprocating States Agreement. Therefore, it would seem prudent to defer the decision not to sign the Convention until later in the year and thereby free our Allies of the burden of developing country criticism leveled at their ongoing talks with a state that had openly rejected the UN LOS Treaty. ☐

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Issue 3: Should the United States discontinue all further participation in the LOS Conference process or take part in the Drafting Committee and informal plenary and the Caracas Session?

It would be appropriate, in our opinion, for the United States to participate in the concluding events of the Conference and thus be in a position to protect the favorable navigational provisions of the Treaty should any challenges to these provisions arise.

Issue 4: Should the United States sign the Final Act at Caracas and participate in the Preparatory Commission?

CIA believes that a decision on this issue should be delayed until Fall when the United States would likely be better informed with regard to our allies and the Soviet's intentions concerning signature of the Convention and consequent participation in the Preparatory Commission.

Issue 5: Should the United States encourage efforts to amend the text of the LOS Convention?

The CIA is unable to corroborate, or to disprove, the allegations that selected States are considering amendments to the seabed texts of the Convention to improve the prospects for US signature. ☐

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Chairman

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